

REMARKS

I. INTRODUCTION

In response to the Office Action dated November 25, 2008, claims 110 and 119 have been amended. Claims 110-127 remain in the application. Entry of these amendments, and re-consideration of the application, as amended, are respectfully requested.

II. CLAIM AMENDMENTS

Applicants' attorney has made amendments to the claims as indicated above. Unless otherwise indicated, these amendments were made solely for the purpose of clarifying the language of the claims, and were not required for patentability or to distinguish the claims over the prior art.

III. PRIOR ART REJECTIONS

In paragraphs (2)-(3) of the Office Action, claims 110-113, 117-122, and 126-127 were rejected under 35 U.S.C. §103(a) as being unpatentable over Browne et al., WO 92/22983 (Browne) in view of Orr, U.S. Patent No. 6,760,535 (Orr). In paragraph (4) of the Office Action, claims 114-116 and 123-125 were rejected under 35 U.S.C. §103(a) as being unpatentable over Browne in view of Orr and further in view of Vallone et al., U.S. Patent No. 6,847,778 (Vallone).

Applicants respectfully traverse these rejections.

The Browne Reference

The Browne reference teaches a large capacity, random access, multi-source recorder player.

The Orr Reference

The Orr reference is cited in the Office Action as follows:

FIG. 4 shows a method according to one embodiment of the present invention. At Step 202, the method begins the archiving process. The method begins at Step 202 whenever the user indicates a command to store video or audio data on the hard drive 50. At Step 204, the method determines whether the programming already resides on the hard drive. The method performs Step 204 by comparing sync pulse information belonging to the programming with similar information stored within the show tags 160 of the content database 150. If the sync pulse information of the programming matches the similar information found on the hard drive, then the method determines

that the show has already been recorded and is located on the hard drive and aborts the recording by proceeding directly to Step 228.

If the programming has not yet been recorded or otherwise is not found on the hard drive, then the method proceeds to Step 206 and determines whether the hard drive has sufficient available space to record the programming. Because it may be difficult to determine ahead of time whether content received over a data channel is too large to fit within the available space on the hard drive, Step 206 may actually be performed upon a write error to the hard drive. In the absence of such an error, the hard drive finds sufficient space to store the programming, and proceeds to Step 208. At Step 208, the method stores the programming content within a new show field that the method creates within the archive of recorded content 100 (shown in FIG. 2).

See Orr, Col. 7, lines 11-25 (emphasis added).

The Vallone Reference

The Vallone reference is cited as teaching displaying a bar overlaid on the screen when viewing a program when the program is being recorded.

The Claims Are Patentable Over the Cited References

The claims of the present invention describe methods and apparatuses for processing available content. A method in accordance with the present invention comprises receiving the available content using one or more tuners, and performing a plurality of operations on the available content received from the one or more tuners, the plurality of operations including selecting at least one recorded event from the available content based on thumbnail, preview, or snippet, tracking a list of recorded programs for duplicates when a record operation is initiated, and activating a previously selected user-identified preference to selectively erase the current recording of a program that is identified as duplicate.

The Office Action admits that Browne does not teach the limitation of tracking a list of recorded programs for duplicates. Applicants agree with this characterization of Browne.

The cited references do not disclose the limitations of the present invention. Specifically, the cited references do not disclose at least the limitations of activating a previously selected user-identified preference to selectively erase the current recording of a program that is identified as duplicate as described in the claims of the present invention.

The References Teach Automatic Replacement of the Content, Not User-Controlled Replacement of the Currently Recorded Content as Recited in the Claims

The Office Action now relies on Orr to teach the limitations of tracking a list of recorded programs for duplicates and activating a previously selected user-identified preference to selectively erase the current recording of a program. Again, the Orr reference, as with the previously cited references, teaches automatic erasure of a program. There are no user-identified preferences taken into account, and no selective erasure of the current recording; further, there is no possible user interaction with the Orr system to prevent recording when a duplicate is identified. See Orr, Col. 7, lines 20-25, “If the sync pulse information of the programming matches the similar information found on the hard drive, then the method determines that the show has already been recorded and is located on the hard drive and aborts the recording by proceeding directly to Step 228 (the end process step).” Thus, Orr does not teach selective erasure based on a previously selected user-identified preference, and actually teaches away from both selective erasure and allowing user interaction with the method.

As such, none of the references relied upon in this or any previous Office Actions teach the claimed invention. The Office Actions admit, at various times, that Vallone, Liebenow, Browne, Ranta, and the other ancillary references previously cited are silent on these limitations. As such, and specifically, none of the references teach nor suggest at least the limitation of activating a previously selected user-identified preference to selectively erase the current recording of a program that is identified as duplicate as recited in the claims of the present invention.

The amendments presented herein are supported by the specification as filed in at least in paragraphs [0133]-[0135].

Thus, Applicants submit that independent claims 110 and 119 are allowable over Browne, Orr, and Vallone and all other references previously cited. Further, dependent claims 111-118 and 120-127 are submitted to be allowable over the cited references in the same manner, because they are dependent on independent claims 110 and 119, respectively, and because they contain all the limitations of the independent claims. In addition, dependent claims 111-118 and 120-127 recite additional novel elements not shown by the cited references.

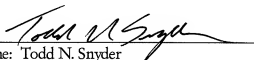
IV. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,

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